

PROB 12C  
(7/93)

United States District Court  
for  
District of New Jersey

**Amended Petition for Warrant or Summons for Offender Under Supervision**

**Name of Offender:** Andrew Smith

**Docket Number:** 94-00435-001

**PACTS Number:** 9540

**Name of Sentencing Judicial Officer:** The Honorable Alfred M. Wolin. Reassigned to the Honorable Susan D. Wigenton

**Date of Original Sentence:** 07/12/1995

**Original Offense:** Narcotics-Sell, Distribute, Or Dispense

**Original Sentence:** 144 months imprisonment; 8 years supervised release.

**Type of Supervision:** Supervised Release

**Date Supervision Commenced:** March 4, 2005

**Assistant U.S. Attorney:** Jennifer Davenport, 402 East State Street, Room 502, Trenton, New Jersey 08608, (609) 989-2190

**Defense Attorney:** George Somers, 315 Market Street, Trenton, New Jersey 08611, (609) 599-2244

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**PETITIONING THE COURT**

To issue a warrant  
 To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number    Nature of Noncompliance

1

The offender has violated the supervision condition which states '**You shall not commit another federal, state, or local crime.**'

According to criminal complaints received from Trenton Police Department, the offender did commit the crime of armed robbery upon the victim, Floyd Smith, in the course of committing a theft, specifically by striking the victim about the head and body with an unknown object, possibly a board, causing a fracture to his right arm and bleeding to his head. The offender did take \$110 dollars from the victim during the robbery.

The offender was arrested by Trenton Police on November 24, 2008, and charged with one count of Armed Robbery (1<sup>st</sup> Degree) and one count of Possession of a Weapon for Unlawful Purpose.

On December 18, 2008, the offender appeared before the Honorable John Hughes, United States Magistrate Judge, for an initial appearance. He was released on his own recognizance and original conditions imposed at sentencing remained the same.

The case remains pending in Mercer County State Superior Court. A status conference has been scheduled for May 15, 2009, before the Honorable Gerald J. Council.

2

The offender has violated the supervision condition which states '**You shall not commit another federal, state, or local crime.**'

On March 18, 2009, Trenton Police Officers were dispatched to 33 West Paul Street on an assault charge. Upon arrival, officers questioned the victim, identified as Ayanna Johnson, who reported she had an argument with her ex-boyfriend, Andrew Smith. She stated she had met Smith last August while walking down the street in Trenton. Johnson ended her relationship with Smith in January 2009.

Mrs. Johnson told the officers that she had gone out to Halo Farms with Smith to buy groceries and then returned to her residence. After unloading the groceries, an argument ensued and Smith began yelling at her and claiming she was using him. The argument escalated inside her residence, at which time, Smith grabbed her by the arms leaving a small red bruise under her right arm. Smith then slapped Johnson in the mouth and pulled her by her shirt. Smith began yelling "apologize for what you said." Johnson fought back and yelled that she was calling the police. Smith immediately left the residence. As a result, police filed a simple assault charge against Smith.

An arrest warrant was issued by Trenton Police Department and it remains active at this time.

3

The offender has violated the supervision condition which states '**You shall notify the probation officer within 72 hours of being arrested or questioned by a law enforcement officer.**'

On May 30, 2008, Mr. Smith was arrested by Trenton Police Department and charged with the offense cited in Count 2 of this petition.

The offender failed to notify the undersigned probation officer within 72 hours of this arrest.

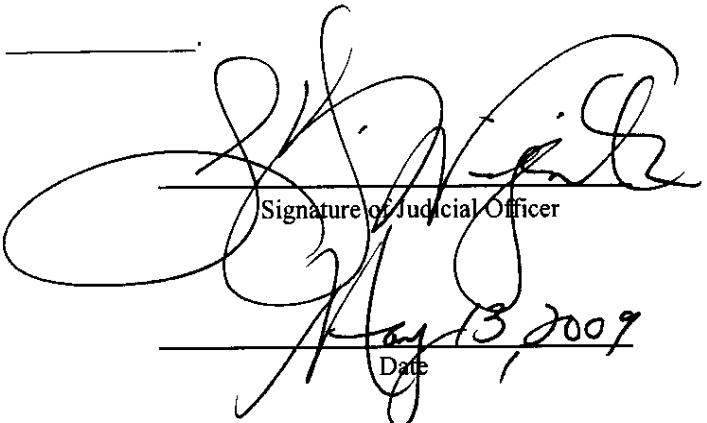
I declare under penalty of perjury that the foregoing is true and correct.

By: Edwin Vazquez   
Senior U.S. Probation Officer  
Date: May 8, 2009

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THE COURT ORDERS:

The Issuance of a Warrant  
 The Issuance of a Summons. Date of Hearing: \_\_\_\_\_.  
 No Action  
 Other

  
Signature of Judicial Officer

May 13, 2009  
Date